

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

JEANETTA B. PIRTLE;
HUMBERTO MEDINA-TORRES

Plaintiffs

v.

MUNICIPALITY OF ISABELA.;
INSTITUTION A; JOHN DOE, RICHARD
ROE; INSURANCE COMPANIES 1, 2, & 3

Defendants

* CIVIL NO. 18-1200 (JAG-BJM)

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PLAINTIFFS DEMAND
TRIAL BY JURY

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MOTION FOR VOLUNTARY DISMISSAL WITHOUT PREJUDICE

TO THE HONORABLE COURT:

COME NOW Plaintiffs Jeanetta B. Pirtle and Humberto Medina-Torres, through the undersigned attorneys, and respectfully state and pray as follows:

1. Pursuant to a certification from the defendant Municipality of Isabela representing that the access to the beach where the Plaintiff Jeanetta Pirtle fell is not owned nor is it under the care, custody or control of the Municipality of Isabela, the Plaintiffs hereby request the voluntary dismissal without prejudice of all claims asserted by Plaintiffs against defendant Municipality of Isabela.

2. The Plaintiffs request the Court to enter a judgment of dismissal of the entire case without prejudice.

3. The parties had stipulated that the dismissal agreed to shall be without any imposition of costs or attorney's fees on any party.

WHEREFORE, it is respectfully requested of the Court that an order be entered granting this voluntary dismissal without prejudice, and that a judgment be entered accordingly.

RESPECTFULLY SUBMITTED.

CERTIFICATE OF SERVICE

I hereby certify that on this same date I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the attorneys of record.

In San Juan, Puerto Rico, this 30th day of June 2020.

/s/ David Fernández-Esteves
DAVID FERNANDEZ-ESTEVEZ
USDC PR NO.: 218404
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